

DECLARATION - USA PATENT APPLICATION**COPY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled DISK DRIVE DATA PROTECTION USING CLUSTERS CONTAINING ERROR DETECTION SECTORS; the specification of which is attached hereto;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Richard J. Biskup**

Inventor's signature Richard J. Biskup

Date 12/1/2000

Residence: **822 Haverhill Drive, Sunnyvale, California 94087**

Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of second inventor: **Brian R. Davis**

Inventor's signature 

BEST AVAILABLE COPY

Date 12-1-00

Residence: **1002 Tulip Drive, Sunnyvale, California 94086**

Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of third inventor: **James A. McDonald**

Inventor's signature 

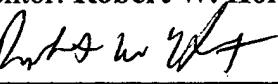
Date 12-1-00

Residence: **940 Colonial Lane, Palo Alto, California 94301-3 fm**

Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of fourth inventor: **Robert W. Horst**

Inventor's signature 

Date 12/1/00

Residence: **12386 Larchmont Avenue, Saratoga, California 95070**

Citizenship: **United States**

Post Office Address: **Same as Above**

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

011360/0740 PAGE 2

BEST AVAILABLE COPY

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

MRD 12-7-00

Client Code: 3WARE.010A

12-27-2000



101563169

BEST AVAILABLE COPY
COPY

HEET

inal documents or copy thereof.

U.S. PRO
12/07/00
JC668
09/17/2000

TO THE ASSISTANT COMMISSIONER

1. Name of conveying parties: (If multiple assignors, list numerically)

1. Richard J. Biskup
2. Brian R. Davis
3. James A. McDonald
4. Robert W. Horst

Additional name(s) of conveying party(ies) attached?

0 Yes (X) No

2. Name and address of receiving party:

Name: 3WARE

Street Address: 490 California Avenue, 2nd Floor

City: Palo Alto State: CA ZIP: 94306

Additional name(s) of receiving party(ies) attached?

0 Yes (X) No

09/17/2000

3. Nature of conveyance:

(X) Assignment
() Merger
() Security Agreement
() Change of Name
() Other:

Execution Date: (If multiple assignors, list execution dates in numerical order corresponding to numbers indicated in 1 above)

1. December 1, 2000
2. December 1, 2000
3. December 1, 2000
4. December 1, 2000

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Ronald J. Schoenbaum
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

Internal Address: Sixteenth Floor
Street Address: 620 Newport Center Drive
City: Newport Beach State: CA ZIP: 92660
Attorney's Docket No.: 3WARE.010A

6. Total number of applications involved: 1

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

Alexander Franco
Name of Person Signing

Signature

Date

12/7/00

45,753
Registration No.

Total number of pages including cover sheet, attachments and document: 4

Mail documents to be recorded with required cover sheet information to:

12/27/2000 GTOM11 00000054 09732244

01 FC:581

40.00 OP

Assistant Commissioner for Patents
Box Assignments
Washington, D.C. 20231

MSO-1610.DOC
120400:llg

Application No.: Unknown
Filing Date: On Even Date Herewith

COPY

BEST AVAILABLE COPY
Client Code: 3WARE.010A
Page 1

ASSIGNMENT

WHEREAS, We, Richard J. Biskup, a United States citizen, residing at 822 Haverhill Drive, Sunnyvale, California 94087, Brian R. Davis, a United States citizen, residing at 1002 Tulip Drive, Sunnyvale, California 94086, James A. McDonald, a United States citizen, residing at 940 Colonial Lane, Palo Alto, California 94301, and Robert W. Horst, a United States citizen, residing at 12386 Larchmont Avenue, Saratoga, California 95070 have invented certain new and useful improvements in a DISK DRIVE DATA PROTECTION USING CLUSTERS CONTAINING ERROR DETECTION SECTORS for which we have executed an application for Letters Patent in the United States, on even date herewith;

AND WHEREAS, 3WARE (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 490 California Avenue, 2nd Floor, Palo Alto, California 94301, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of December, 2000

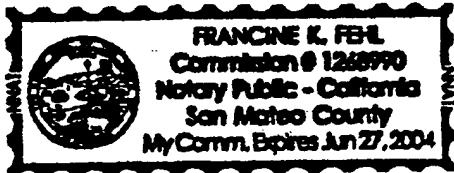
Richard J. Biskup
Richard J. Biskup

STATE OF CALIFORNIA }
COUNTY OF Santa Clara } ss.

On 12/1/00, before me, Francine K Fehl, personally appeared Richard J. Biskup personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Francine K. Fehl
Notary Signature

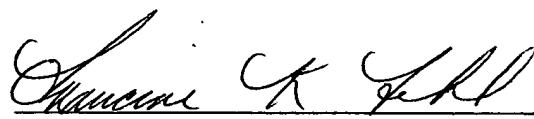
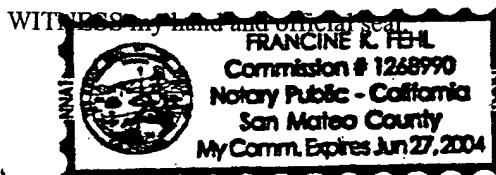
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of December, 2000



Brian R. Davis

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } ss.

On 12/1/00, before me, Francine K Fehl, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of DECEMBER, 2000



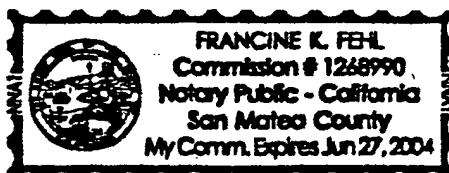
James A. McDonald

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } ss.

On 12/1/00, before me, Francine K. Fehl, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Notary Signature

BEST AVAILABLE COPY

Application No.: Unknown
Filing Date: On Even Date Herewith

COPY

PATENT

Client Code: 3WARE.010A

Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of December, 2000

Robert W. Horst

Robert W. Horst

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } ss.

On 12/1/00, before me, Francine K Fehl, personally appeared Robert W. Horst personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Francine K. Fehl

Notary Signature

MSO-1577.DOC
112800

(BEST AVAILABLE COPY)
COPY

3WARE.010A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Biskup, et al.)
)
App. No.	:	Unknown)
)
Filed	:	On Even Date Herewith)
)
For	:	DISK DRIVE DATA PROTECTION)
		USING CLUSTERS CONTAINING)
		ERROR DETECTION SECTORS)
)
Examiner	:	Unknown)
)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the Inventors to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventors to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and

App. No. : Unknown
Filed : On Even Date Herewith

BEST AVAILABLE COPY

revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

3WARE

Dated: 12-1-00

By: J. M. Hall

Title: CTO

Address: 490 California Avenue, 2nd Floor
Palo Alto, CA 94301

MSO-1578.DOC
112900

COPY

Do Not Record

BEST AVAILABLE COPY

PATENT

Client Code: 3WARE.010A

Page 1

Application No.: Unknown
Filing Date: On Even Date Herewith

ASSIGNMENT

WHEREAS, We, Richard J. Biskup, a United States citizen, residing at 822 Haverhill Drive, Sunnyvale, California 94087, Brian R. Davis, a United States citizen, residing at 1002 Tulip Drive, Sunnyvale, California 94086, James A. McDonald, a United States citizen, residing at 940 Colonial Lane, Palo Alto, California 94301, and Robert W. Horst, a United States citizen, residing at 12386 Larchmont Avenue, Saratoga, California 95070 have invented certain new and useful improvements in a DISK DRIVE DATA PROTECTION USING CLUSTERS CONTAINING ERROR DETECTION SECTORS for which we have executed an application for Letters Patent in the United States, on even date herewith;

AND WHEREAS, 3WARE (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 490 California Avenue, 2nd Floor, Palo Alto, California 94301, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of December, 2000

Richard J. Biskup

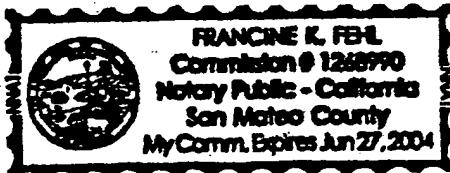
Richard J. Biskup

STATE OF CALIFORNIA }
COUNTY OF Santa Clara } ss.

On 12/1/00, before me, Francine K Fehl, personally appeared Richard J. Biskup personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

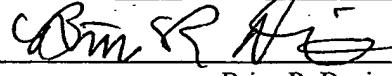


Francine K. Fehl

Notary Signature

Application No.: Unknown
Filing Date: On Even Date Herewith

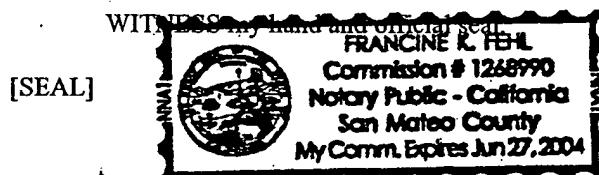
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of December, 2000



Brian R. Davis

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } ss.

On 12/1/00, before me, Francine K Fehl, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.





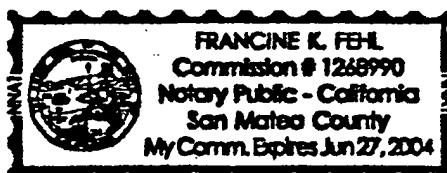
Notary Signature

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } ss.

On 12/1/00, before me, Francine K Fehl, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]





Notary Signature

BEST AVAILABLE COPY

PATENT

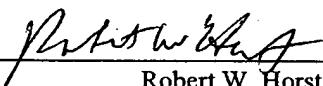
Application No.: Unknown

Client Code: 3WARE.010A

Filing Date: On Even Date Herewith

Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of December, 2000



Robert W. Horst

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } ss.

On 12/1/00, before me, Francine K Fehl, personally appeared Robert W. Horst personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]





Notary Signature

MSO-1577.DOC
112800